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United States District Court  
Eastern District of California

United States of America,

Plaintiff,

vs.

Waydd Matthew Rechard,

Defendant.

No. Cr.S-03-0493-KJM

Detention Order (Violation of  
Pretrial Release, Probation or  
Supervised Release)

-oOo-

\_\_\_\_\_ After a hearing pursuant to 18 U.S.C. § 3148  
(violation of pretrial release order), the court  
finds:

\_\_\_\_\_ There is probable cause to believe the person  
has committed a federal, state or local crime  
while on release and the defendant has not  
rebutted the presumption that his release will  
endanger another or the community or

\_\_\_\_\_ There is clear and convincing evidence that  
the defendant has violated another condition  
of release and

\_\_\_\_\_ based on the factors set forth in 18 U.S.C. §  
3142 (g) there is no condition or combination  
of conditions of release that will assure that  
the defendant will not flee or pose a danger

1 to the safety of another person or the  
2 community or

3 the person is unlikely to abide by any  
4 condition or combination of conditions of  
release. F.R.Cr.P. 32.1(a)(D), 46(c), 18  
U.S.C. § 3148.

5 x Pursuant to F.R.Cr.P. 32.1(a) and 46(c) and 18  
6 U.S.C. § 3143 (violation of probation or supervised  
7 release) the court finds defendant has not met his  
8 burden of establishing by clear and convincing  
evidence that he will not flee or pose a danger to  
another person or to the community.

9 IT IS ORDERED that pursuant to 18 U.S.C. § 3142(I)(2)(4)  
10 defendant is committed to the custody of the Attorney General for  
11 confinement in a corrections facility separate, to the extent  
12 practicable, from persons awaiting or serving sentences or being  
13 held in custody pending appeal. The defendant shall be afforded  
14 reasonable opportunity for private consultation with his counsel.  
Upon further order of a court of the United States or request of an  
attorney for the United States the person in charge of the  
corrections facility in which defendant is confined shall deliver  
defendant to a United States Marshal for the purpose of an  
appearance in connection with a court proceeding.

15 Dated: October 21, 2005

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17 /s/ Peter A. Nowinski  
18 Peter A. Nowinski  
19 Magistrate Judge  
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